

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)
vs.)
Plaintiff,)
vs.) Case No. 17-cr-30048-1-SMY
BRITT MARQUIS LACEY,)
Defendant.)

ORDER

Now pending before the Court is the Government's motion filed pursuant to 18 U.S.C. §§ 3613(a) and 3664(k) & (n), requesting the Court to enter an order authorizing the Bureau of Prisons (BOP) to remit \$775.00 to the Clerk of Court from funds held in the inmate trust account for Defendant Britt Marquis Lacey as payment for the criminal monetary penalty imposed in this case (Doc. 79).

Lacey was sentenced on October 31, 2017, to 115 months imprisonment and was ordered to pay a \$100 special assessment and \$750 fine. According to the Government, the balance on the special assessment is \$25 and the entire \$750 fine remains due.

Lacey is currently incarcerated at Terre Haute USP, and the BOP maintains his trust account in its possession, custody, or control. Under Title 18 United States Code Section 3613, a criminal monetary penalty constitutes a lien in favor of the Government on all the property and rights to property of the defendant to the same extent as a tax lien. 18 U.S.C. § 3613(c). Thus, the Government's lien would attach to the Lacy's interest in funds held by the BOP in an inmate trust account.

Accordingly, the Government's motion is **GRANTED**; the Bureau of Prisons is authorized to turnover to the Clerk of Court the sum of \$775.00, and the Clerk of Court shall accept funds

currently held in the trust account for the following inmate:

Britt Marquis Lacey
DOC# 13602-025
Terre Haute USP
4700 Bureau Road South
Terre Haute, IN 47802
SD/IL case number: 17-CR-30048-1

Payments are to be made payable to the Clerk of the District Court, 750 Missouri Avenue, East St. Louis, Illinois 62201. The Clerk shall apply these funds as full and final payment of the criminal monetary penalties owed by the defendant in this case. Defendant's Second Motion to Waive or Set Aside F.R.P. Fine Payments (Doc. 77) and Motion to Retrieve, Deduct, and Send for F.R.P. Fines (Doc. 82) are **TERMINATED AS MOOT**.

The Government shall provide a copy of this Order to the Bureau of Prisons.

IT IS SO ORDERED

DATED: April 7, 2023



STACI M. YANDLE
United States District Court Judge